

Exhibit D

MARK LAPLANTE 12/16/2014

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<p>1 UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF MICHIGAN 3 SOUTHERN DIVISION 4 JOSEPH JERMANO, et al., 5 Plaintiffs, 6 vs. CASE NO. 13-10610 7 GRACO CHILDREN'S PRODUCTS, INC., 8 Defendant. 9 10 VIDEOTAPED DEPOSITION OF MARK LAPLANTE 11 December 16, 2014 - 9:04 a.m. 12 Schiff Hardin, LLP 13 1201 West Peachtree Street 14 Suite 2300 15 Atlanta, Georgia 16 17 18 19 20 21 22 23 24 25</p>	<p>1 APPEARANCES OF COUNSEL: 2 3 On behalf of the Plaintiffs: 4 R. DOUGLAS GENTILE 5 Attorney at Law 6 Douthitt Frets Rouse Gentile & Rhodes, LLC 7 5250 W. 116th Place 8 Suite 400 9 Leawood, Kansas 66221 10 (816) 941-7699 11 12 On behalf of the Defendant: 13 JOSEPH J. KRASOVEC III 14 Attorney at Law 15 Schiff Hardin, LLP 16 233 South Wacker Drive 17 Suite 6600 18 Chicago, Illinois 60606 19 (312) 258-5500 20 21 Also Present: Alex Galvan 22 - - - 23 Allison H. Wilcox, RPR, CCR-2569 24 David Castle, Legal Video Specialist 25</p>
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<p>1 INDEX TO EXHIBITS 2 3 (None marked.) 4 5 6 7 8 INDEX TO EXAMINATION 9 MARK LAPLANTE PAGE 10 Examination by Mr. Gentile 4, 96 11 Examination by Mr. Krasovec 72, 101 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 (Video camera on.) 2 THE VIDEOGRAPHER: We are on the record. 3 Today's date is December 16, 2014. The time is 4 approximately 9:04 a.m. This will be the videotaped 5 deposition of Mark LaPlante taken in the matter of 6 Jermano versus Graco, Case No. 13-10610 in the 7 Eastern District of Michigan. This deposition is 8 being taken at 1201 West Peachtree Street, 9 Suite 2300, Atlanta, Georgia. The reporter's name 10 is Allison Wilcox. My name is David Castle, I'm the 11 legal videographer. We are with Midwest Litigation 12 Services. 13 Will counsel please introduce themselves 14 for the record. 15 MR. GENTILE: Doug Gentile for the 16 plaintiffs. 17 MR. KRASOVEC: Joe Krasovec for defendant 18 Graco Children's Products. 19 THE VIDEOGRAPHER: Will the court reporter 20 please swear in the witness. 21 MARK LAPLANTE, 22 being first duly sworn, testified as follows: 23 EXAMINATION 24 BY MR. GENTILE: 25 Q. Good morning, sir.</p>

1 (Pages 1 to 4)

<p style="text-align: right;">Page 73</p> <p>1 It's something that you were asked about earlier in 2 your testimony.</p> <p>3 A. Yes.</p> <p>4 Q. In the comments section there's a notation 5 that this is an R44 pulse. Do you see that?</p> <p>6 A. Yes, I see it now.</p> <p>7 Q. What does R44 refer to?</p> <p>8 A. That's the standard in Europe for car 9 seats, children's car seats.</p> <p>10 Q. And so let me make sure I understand 11 something. You indicated earlier in your testimony 12 that you primarily dealt with compliance testing in 13 United States and Canada. How is it that you know 14 about R44?</p> <p>15 A. So that's -- the U.S. and Canada is what I 16 handle currently. The task has become so large to 17 handle Europe and Asia and all that, that was broken 18 off, the part of doing R44 was broken off to other 19 people. So when I first started at the company my 20 task was to do U.S. and Canada and Europe, so I know 21 about R44 from that.</p> <p>22 Q. And just tell the jury what R44 is.</p> <p>23 A. So it's a set of test specifications for 24 the testing and the design of children's car seats 25 for Europe.</p>	<p style="text-align: right;">Page 75</p> <p>1 doesn't pass the elbow then it passes. So if it 2 comes out of the guide, that would be a failure. If 3 it comes past the elbow, that would be a failure.</p> <p>4 Q. Okay. If it stays, comes off the shoulder 5 but stays above the elbow, that's not considered a 6 failure under R44. Is that what you're saying?</p> <p>7 A. Say that again.</p> <p>8 Q. If it stays above the elbow, the shoulder 9 belt --</p> <p>10 A. Yes.</p> <p>11 Q. -- and but comes out of the guide, that is 12 not a failure?</p> <p>13 A. In R44 that would be a failure because it 14 came out of the guide.</p> <p>15 Q. Oh I'm sorry. If it stays in the guide 16 but comes off of the shoulder, stays above the 17 elbow, that would pass R44?</p> <p>18 A. Correct.</p> <p>19 Q. In Exhibit 50C it indicates that this test 20 was run at clip on.</p> <p>21 A. Yes.</p> <p>22 Q. What is clip on?</p> <p>23 A. That is the crash lab, it's a third-party 24 lab operated over in Finland by Bror Martin, 25 B-r-o-r, M-a-r-t-i-n. Bror is the guy that ran the</p>
<p style="text-align: right;">Page 74</p> <p>1 Q. So is R44 essentially European's version 2 of what you were asked about FMVSS 213?</p> <p>3 A. Exactly, yes.</p> <p>4 Q. And with respect to -- I'll zero in just 5 on the belt guides that we've been talking about 6 today -- with respect to the belt guide, is there a 7 difference in the requirement under R44 that's in 8 Europe and what's required in the FMVSS 213?</p> <p>9 A. Yes.</p> <p>10 Q. Would you please explain that.</p> <p>11 A. So 213 doesn't say that there's any 12 requirement to stay in the belt guide at all, 13 whereas R44 does.</p> <p>14 Q. Let me make sure, clarify. When you 15 said -- are we talking about the shoulder belt?</p> <p>16 A. The shoulder belt, yes.</p> <p>17 Q. So 213 does not have a requirement that 18 the shoulder belt stay in the belt guide during the 19 test?</p> <p>20 A. That's correct.</p> <p>21 Q. And what about R44?</p> <p>22 A. And R44 does say that it should stay in 23 that belt guide and, but the belt can come down and, 24 as long as it doesn't pass the elbow, still stay 25 that guide during the crash, that as long as it</p>	<p style="text-align: right;">Page 76</p> <p>1 tests and developed the lab for seats made in 2 Finland. And our seats, we would have him 3 contracted out to run tests.</p> <p>4 It's a deceleration sled. It's very 5 different than the 213 sled in that there are -- the 6 way that you get the energy is with these giant 7 rubber bands. They then shoot the sled at a barrier 8 and then it decelerates by having steel tubes enter 9 into rubber mounted orifices that have to expand 10 when that steel goes into those tubes. And the 11 rubber is kind of like the same material as roller 12 skate wheels, so it kind of wears away, you have to 13 change those tubes every once in a while.</p> <p>14 Q. Okay. You mentioned in your previous 15 answer, you said I think something to the effect of 16 seats made in Finland. Are you're talking about 17 seats made for the European market?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Just wanted to clarify that. 20 And in this test there's, the dummy used 21 is indicated as a P10 dummy that's weighted. What 22 does that mean?</p> <p>23 A. So I don't remember exactly at the time, 24 but I believe that the P10, that's a type of dummy. 25 The European dummies are different than the U.S.</p>